

REMARKS

Claims 1-8, 10-17, and 19-23 are pending in the present application. Claims 1-8, 10-17, and 19-23 are rejected in the Advisory Action. Independent claims 1, 16, and 23 are amended. No new matter is added. The rejections are respectfully traversed in light of the following remarks, and reconsideration is requested.

In the Advisory Action, the Examiner rejects the pending claims by stating:

As best interpreted the wherein clause is a desired use; does not further limit the product. As such, the reasons in the final are maintained. Furthermore, applicants' attention is drawn to figure 7a of Aoki et al with respect to recording only in the land areas.

Addressing the Examiner's first statement, Applicants have amended independent claims 1, 16, and 23 to recite that "the phase-change material on the lands is the only area on the disc where data information is written to", "the phase-change portion over the lands is the only area on the disc where data information is written to", and "the phase-change material deposited on the lands is the only area on the disc where data information is written to", respectively. No new matter is added, as the amendments are supported in the specification as filed. (For example, Fig. 2 and accompanying text show that the disc of the present invention has a ROM portion 202 and a writable portion 204, where writable portion 204 has lands and grooves. Thus, the only portion of the disc having writable portions is writable portion 204. Further, as set forth in the previous Response, information is written only to the grooves, and not the lands. (See, e.g., Applicants' specification at page 5, lines 18-29, page 6, lines 8-11 and 18-22, page 8, lines 20-23, page 10, lines 6-9, page 13, lines 22-30, and page 15, line 29 to page 16, line 7; Fig. 3). Accordingly, data information is writable only to the phase-change material over the lands in writable portion 204.

Applicants believe that the amendments of claims 1, 16, and 23 are not a desired use, but rather limit the product to having phase-change material over the lands as being the only

areas of the disc where data information is written to.

Addressing the Examiner's second statement, Aoki et al. disclose a disc having a file management region and a data region. (See, e.g. Figs. 7A and 7B and corresponding text.) Aoki teaches that "file management information" is recorded on only either lands or grooves (col. 3, lines 48-55), and in Fig. 7A shows one embodiment in which the file management information is recorded only on lands (col. 7, lines 50-67). On the same disc, information is also recorded on "both lands and grooves in the data region" (col. 3, lines 55-58). As seen from Figs. 7A and 7B, if in the file management region (step 22), recordation is only on the lands in the file management region (step 23), and if not in the file management region (i.e., in the data region), recordation is on both the lands and grooves (steps 27 and 32). Thus, Aoki et al. teach writing information on both the file management region and the data region of a disc, where information in the data region is written on both lands and grooves.

To the contrary, independent claims 1, 16, and 23 recite that the phase-change material on the lands is the only area on the disc where data information is written to. Thus, Applicants believe that claims 1, 16, and 23, as amended, are patentable over Aoki et al.

Applicants further believe that claims 1, 16, and 23 are patentable over the previously cited references for reasons set forth, at least, in Applicants' previous responses.

Claims 2-8, 10-15, 17, and 19-22 depend on claims 1 and 16 and are thus patentable for at least the same reasons as claims 1 and 16.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections.


MACPHERSON, KWOK CHEN
& HEND LLP

2401 MICHELSON DRIVE
SUITE 210
IRVINE, CA 92612
(949) 752-7040
FAX (949) 752-7049

CONCLUSION

For the foregoing reasons, Applicants believe pending claims 1-8, 10-17, and 19-23 are allowable, and a notice of allowance is respectfully requested. If the Examiner has any questions regarding the application, the Examiner is invited to call the undersigned Attorney at (949) 752-7040.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope or Facsimile transmitted, addressed to: Commissioner for Patents, Alexandria, VA 22313-1450, on June 2, 2004.


Rita K. Kimmel

Respectfully submitted,



Tom Chen
Attorney for Applicant(s)
Reg. No. 42,406

MACPHERSON, KWOK CHEN
& REID LLP

2402 MICHELSON DRIVE
SUITE 210
IRVINE, CA 92612
(949) 752-7040
FAX (949) 752-7049